

REMARKS**Status of Claims**

Claims 1-11, 15-21, and 30-31 are pending.
Claim 1 has been amended.
Claims 3-6, 9-11, 15-21, and 15-21 are allowed.

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Allowable Subject Matter

Applicants note with appreciation that Claims 3-6, 9-11, 15-21, and 15-21 are allowed.

Amendments to the Claims:

Applicants have amended Claim 1 to exclude $L = -C(O)OR^{24}$ and $L = \text{phenyl}$ from the scope of Claim 1.

No new matter is added by the way of this amendment.

Applicants respectfully request reconsideration and withdrawal of the outstanding rejection in light of the foregoing amendments and following remarks.

Rejection under 35 U.S.C. § 102

Claims 1-2, 7-8 and 30-31 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Ruckle et al. (US 2004/0092561 A1). The Office Action alleges that Ruckle et al. (US 2004/0092561 A1) "teaches compounds of interest: 6-[[2,4-dioxo-5-thiazolidinyldene)methyl]-2,3-dihydro-3-oxo-4H-1,4-Benzoxazine-4-acetic acid methyl ester and 5-[[3,4-dihydro-3-oxo-4-(phenylmethyl)-2H-1,4-Benzoxazin-6-yl]methylene]2,4-Thiazolidinedione." Applicants note that the cited reference does not teach these compounds. Rather, WO 2004/007491, the PCT counterpart of Ruckle et al. (US 2004/0092561 A1), lists the indicated compounds as Examples 100 and 103. Applicants further note that this rejection is inapplicable to Claim 8, wherein $R^6 = H$.

By the present amendment, Claim 1 does not include a compound of Formula I having the following substituents: $R^6 = CH_2-COOCH_3$ or $R^6 = CH_2\text{-phenyl}$. Accordingly, Applicants respectfully request that the rejection under § 102 over Ruckle et al. (US 2004/0092561 A1) be withdrawn.

Conclusion

Applicants believe all claims are now in condition for allowance. Should there be any issues that have not been addressed to the Examiner's satisfaction, Applicants invite the Examiner to contact the undersigned attorney.

Attorney Docket No. PC20508A

Applicants do not believe any fees are due in connection with this response. If any fees are due in connection with this response, please charge such fees to Deposit Account No. 500329.

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Respectfully submitted,

Date: August 23, 2006

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